GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Marketing Department – Departmental Proceedings against Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta - Under Rule 200 of Andhra Pradesh (Agricultural Produce & Livestock) Market Rules, 1969 – Articles of Charges framed – Orders - Issued.

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AGRICULTURE AND COOPERATION (VIG-II) DEPARTMENT

G.O.RT.No. 792 Dated: 11-11-2020
Read:-

From the Special Commissioner and Director of Agricultural Marketing, AP., Guntur, Lr.No.D.S.(1) 864398/2017, dated:05.08.2019 and dated:22.10.2019.

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O R D E R:-

It is proposed to hold an enquiry against Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta in accordance with the procedure laid down in Rule 200 of Andhra Pradesh (Agricultural Produce & Livestock) Market Rules, 1969.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure – I & II). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure –III & IV).

3. Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta is directed to submit within 15 days of the receipt of this order, a written statement of his defense.

4. Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta is further informed that an enquiry will be held only in respect of those articles of charges that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta is further informed that if he does not submit his written statement of defense on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. The attention of Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

P.T.O.

7. The receipt of the charge memo may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

To
Sri M. Swaminath, Assistant Marketing Supervisor, AMC, Kothapeta (through the C&DoAM, A.P., Guntur).
The Commissioner and Director of Marketing, A.P., Guntur.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.792 , A&C(Vig.II) Dept., Dt:11.11.2020]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M. SWAMINATH, ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA

ARTICLE OF CHARGE- I

"That Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta has willfully committed to misappropriation of Agricultural Market Committee funds with a tune of Rs.3,75,987/- while working as Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta at Ravulapalem check post duly non remittance of Market Fee collections to Agricultural Market Committee funds duly violating the circular instructions DS(2) 584/2012, dt:01.02.2012.

By his above mentioned acts he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ARTICLE OF CHARGE –II

"That Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta has committed high irregularities duly printed the duplicate cash receipt books 200 Nos. and maintained duplicate cash books at check posts with mala fide intensity.

By his above mentioned acts he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ARTICLE OF CHARGE –III

"That Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta has willfully committed the irregularities in making of dates on cash receipts as per their convenience with mala fide intensity and temporarily misappropriated the Agricultural Market Committee funds for his own purpose.

By his above mentioned acts he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ARTICLE OF CHARGE –IV

"That Sri M. Swaminath, Assistant Marketing Supervisor (U/s), Agricultural Market Committee, Kothapeta has willfully committed to misappropriation of Agricultural Market Committee funds with criminal intensity to a tune of Rs.53,600/- while working at Ravulapalem check post as Assistant Market Supervisor, by the shape of non remittance of Market Fee collections during the year 2017-18 and 2018-19 to Agricultural Market Committee funds duly violating the circular instructions DS(2) 584/2012, dt:01.02.2012.

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[Annexure to G.O.Rt.No.792 , A&C(Vig.II) Dept., Dt:11.11.2020]

By his above mentioned acts he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating the Section 14 (1) of Andhra Pradesh (Agricultural Produce & Livestock) Markets Act 1966 and Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF FRAMED AGAINST SRI M. SWAMINATH, ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA ARE PROPOSED TO BE SUSTAINED.

Imputations of Charge I, II & III :-

Basing on report of Vigilance Department vide Report No.13 (C.No.137/V&E/R1/2019), dt:28.02.2019, Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta has not remitted the Market Fee receipt amount of Rs.3,75,987/- with mala fide intensity and committed to misappropriation of Market Committee funds.

And Sri M. Swaminath, Assistant Marketing Supervisor, Agricultural Market Committee, Kothapeta, while working at Ravulapalem check posts as Assistant Marketing Supervisor has committed high irregularities duly printed the duplicate receipt books and non maintained the record for receipt books printed/ used/ returned and maintained duplicate cash books at the check posts.

In this connection it is inform that, the Commissioner and Director of Marketing has issued certain circular instructions on remittances of Market Fee and misappropriation of funds vide circular DS(2) 584/2012, dt:01.02.2012.

By the above mentioned acts, he has violating the circular instructions issued by Commissioner and Director of Marketing supra and also failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 and rendered himself liable for disciplinary action. Hence the Charge.

Imputations of Charge IV:-

Basing on report of Selection Grade Secretary, Agricultural Market Committee, Kothapeta, dt:10.09.2019, Sri M. Swaminath, Assistant Marketing Supervisor (u/s), Agricultural Market Committee, Kothapeta has committed the irregularities by the shape of non-remittance of Market Fee receipt amount of Rs. 53,600/- with mala-fide intensity and misappropriated the same for his own purpose during the year 2017-18 and 2018-19, while working at Ravuiapalem check post, Agricultural Market Committee, Kothapeta.

In this connection it is inform that, the Commissioner and Director of Marketing has issued certain circular instructions on remittances of Market Fee and misappropriation of funds vide circular DS(2) 584/2012, dt:01.02.2012.

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[Annexure to G.O.Rt.No.792 , A&C(Vig.II) Dept., Dt:11.11.2020]

By his above mentioned acts he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of public servant by violating the Section 14 (1) of Andhra Pradesh (Agricultural Produce & Livestock) Markets Act 1966 and Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 and rendered himself liable for disciplinary action. Hence the Charge.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST Sri M. SWAMINATH, ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA

1. Vigilance report. No. 23 (C.No.137/ V&E/R1/2019), dt:28.02.2019 of D.G., V&E Department.
2. Circular DS(2) 584/2012, dt:01.02.2012 of C&DAM.
3. Lr.ROC.No.68/2019, dt:10.09.2019 of Selection Grade Secretary, Agricultural Market Committee, Kothapeta.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

ANNEXURE – IV

LIST OF WITNESSES BY WHOM BY THE ARTICLE OF CHARGES FRAMED AGAINST SRI M. SWAMINATH, ASSISTANT MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, KOTHAPETA ARE PROPOSED TO BE SUSTAINED.

1. V&E Enquiry officers concerned
2. Joint Director of Marketing, Visakhapatnam.
3. Selection Grade Secretary, Agricultural Market Committee, Kothapeta.
4. Assistant Director of Marketing, Kakinada.

Y MADHUSUDHANA REDDY
SEPCIAL SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER